

## UNITED STATES DISTRICT COURT

for the

Eastern District of Michigan

United States of America

v.

Quang Dang HOANG

Case: 2:23-mj-30020

Assigned To : Unassigned

Assign. Date : 1/19/2023

Case No.

Description: RE: SEALED MATTER  
(EOB)

## CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of April 12, 2022 in the county of Wayne in the  
Eastern District of Michigan, the defendant(s) violated:

<i>Code Section</i>	<i>Offense Description</i>
8 U.S.C. 1324(a)(1)(A)(i), 18 U.S.C. 371	Alien Smuggling; Conspiracy
8 U.S.C. 1324(a)(1)(A)(ii)	Transport Illegal Alien(s)
8 U.S.C. 1324(a)(1)(A)(iii)	Harboring Illegal Aliens
8 U.S.C. 1324a; 18 U.S.C. 371	Employment of Illegal Aliens, Conspiracy

This criminal complaint is based on these facts:

☒ Continued on the attached sheet.

Complainant's signature

Border Patrol Agent Michael Pastrone, DHS

Printed name and title

Sworn to before me and signed in my presence  
and/or by reliable electronic means.Date: January 19, 2023City and state: Detroit, Michigan

Judge's signature

Hon. David R. Grand, U.S. Magistrate Judge

Printed name and title

**AFFIDAVIT**

I, Michael Pastrone, declare the following under penalty of perjury:

1. I am a United States Border Patrol Agent currently assigned to the DHS Alliance Human Trafficking and Human Smuggling Task Force and a Special Agent/Team Leader (W01) in the Army Reserve at the 323<sup>rd</sup> MP Detachment (CID). I have been employed in the U.S. Border Patrol since August of 2009, a Special Agent with CID since November of 2013, and have served in the military without a break in service since 2004. I have conducted several criminal investigations relating to different immigration offenses and over 40 felony level investigations, which included sexual assault, larceny, and death investigations with the Army. I have attended different trainings including Advanced Crime Scenes, Special Victims Capabilities Course, Crisis Intervention, Reid and Associates Interview and Interrogation Course and Domestic Intervention Violence Training. I have an Associate's Degree from Schoolcraft College and am completing my bachelor's degree in Psychology with Central Michigan University. The facts set forth herein are based upon my personal knowledge, information provided by other law enforcement officers, record checks of law enforcement databases, and immigration records relating to Quan Dang HOANG, which reveal the following:
2. The information set forth below is for the limited purpose of establishing probable cause. Therefore, the affidavit does not necessarily contain all the information collected during my investigation.
3. Quan Dang HOANG is a 36-year-old male, native and citizen of Vietnam, who is a lawful permanent resident of the United States.

4. Detroit River is a 32-mile-long river linking Lake St. Clair to the northern end of Lake Erie and ranges from approximately .5- to 2.5-miles wide. It forms the international boundary between Detroit, Michigan, United States and Windsor, Ontario, Canada, and is a place used to help facilitate smuggling events between the two countries.
5. On Tuesday, April 12, 2022, a concerned citizen flagged down a Detroit Station Border Patrol Agent on East Jefferson Avenue near the Whittier Hotel. The concerned citizen told the agent that he had just witnessed a possible human smuggling event—a group of approximately six individuals who appeared to be of Asian descent being dropped off by a pontoon boat at Sindbad's Restaurant & Marina (Sinbad's). Sindbad's is located at 100 St. Clair Street, Detroit, MI, 48214 on the Detroit River. The restaurant was closed on Tuesdays at the time. Cross-border smuggling has been known to occur in the vicinity of Sinbad's.
6. At approximately 6:40 P.M., the agent walked to the marina of Sindbad's and encountered another individual, a captain of the fishing charter boat. Before asking the captain any questions about the possible smuggling event, the captain stated to the Agent that he just observed a possible human smuggling event involving approximately six people who appeared to be of Asian descent. The captain stated that a newer black/grey (with a white stripe) pontoon boat with two twin Evinrude outboard engines and three pontoon tubes had dropped the individuals off along the dock. The captain observed that the individuals dropped off did not have any fishing gear or other baggage. The captain noted that while speaking with the operator of the pontoon boat he noticed a Canadian accent. The operator of the pontoon boat

told the captain that he dropped off the individuals so they could get something to eat. However, as previously noted, Sinbad's restaurant was not open for business on Tuesday, April 12, 2022. Additionally, Sinbad's is located at the end of St. Clair Street, a seemingly desolate one-way street.

7. The captain also told the agent that the pontoon boat had possibly pulled into boat well #39 at Sinbad's. The captain took photographs of the pontoon boat as the boat was leaving Sinbad's at approximately 6:24 P.M.
8. A review of radar tracks from April 12, 2022, confirmed that a vessel had arrived in the vicinity of Sinbad's and subsequently departed around the time indicated by the captain. The radar tracks further revealed that the vessel came to Sinbad's from Canada south of Belle Isle in the Detroit River.
9. On or about April 13, 2022, with the help law enforcement in Ontario, Canada, the pontoon boat that was used in the likely human smuggling incident was located at 5656 Riverside Drive E, Windsor, Ontario, Canada. There was a black 2018 Range Rover and a construction trailer parked at the residence. The boat, vehicle, and the trailer were registered to Charles John Lavin (DOB XX/XX/1969) of Dearborn Heights, Michigan. Lavin is a dual citizen of Canada and of the United States.
10. On April 14, 2022, the fishing charter captain was shown a photograph of Lavin. He positively identified Lavin as the operator of the pontoon boat during the smuggling event at Sinbad's on April 12, 2022.

11. Security camera footage from a local store revealed that a 2017 maroon Chrysler Pacifica traveled northbound on St. Clair Street to Jefferson Avenue (as if departing from Sinbad's) around 6:33 P.M. on April 12, 2022. License plate readers along East Jefferson Avenue showed that the license plate on the vehicle was Michigan #JULIA86. Records checks conducted on the license plate revealed that the 2017 Chrysler Pacifica was registered to Quang Dang HOANG (DOB XX/XX/1986) at the 1957 Nicholas Ct, Warren, MI, 48092.
12. HOANG is a lawful permanent resident of the United States, owner of VP's Nail Salon, and a certified nail salon technician in the state of Michigan. A search of HOANG's phone (after obtaining a search warrant) revealed that a photograph of the front of Sinbad's restaurant, including a partial view of the maroon 2017 Chrysler Pacifica was taken on April 12, 2022. Data associated to the photograph showed that the picture was taken at the location of Freud Street and St. Clair Street, which is the intersection located in front of the Sindbad's restaurant.
13. On April 14, 2022, a Border Patrol Agent observed HOANG driving his maroon 2017 Chrysler Pacifica into the driveway of 1957 Nicholas Ct, Warren, MI, 48092 at approximately 9:00 P.M. Record checks show that HOANG's listed residence is 1957 Nicholas Ct. The Agent also observed a second Asian male in the vehicle. This individual was later identified as Ho Thong (DOB XX/XX/1995), a Vietnamese national who unlawfully entered the United States without inspection by an immigration officer and is living in the United States illegally. After exiting the vehicle, HOANG and Thong entered the Residence.

14. On April 15, 2022, a Border Patrol Agent observed HOANG and Thong traveling in the maroon 2017 Chrysler Pacifica from 1957 Nicholas Ct, Warren, MI, 48092, to the VP's Nail Salon. Agents observed HOANG and Thong enter the business. Shortly after the business opened, a HSI Task Force Agent wearing plain clothes entered the nail salon and observed HOANG and Thong working inside.
15. On May 2, 2022, Border Patrol Agents conducted a vehicle stop on the maroon 2017 Chrysler Pacifica driven by HOANG with Thong as a passenger in front of the VP's Nail Salon. Agents identified themselves as Border Patrol Agents and asked for identification and immigration documentation. Thong gave Border Patrol Agents permission to look through the photos of his cellular phone for a photo of his passport, which he did not have in his possession at the time of the vehicle stop (the Device was searched later after obtaining a search warrant).
16. While looking for the passport photo in Thong's cell phone, agents observed other photos and videos including a video dated October 6, 2021 showing Thong and several other individuals who appeared to be of Asian descent at Lavin's house at 5656 E. Riverside Drive, Windsor, Ontario, Canada. In a subsequent video, Thong was observed riding on a pontoon boat as a passenger with the other unknown individuals while Lavin was operating the pontoon boat. Neither HOANG or Thong were able to produce documentation of lawful immigration status at the time of the traffic stop and were administratively detained under the authority of the Immigration and Nationality Act, as amended.

17. Department of Homeland Security record checks revealed that Thong had never been admitted or paroled into the United States after inspection by an immigration officer. Thong was charged with, 212(a)(6)(A)(i) of the Immigration and Nationality Act, as an alien present in the United States without being admitted or paroled, or who arrived in the United States at any time or place other than as designated by the Attorney General, as well as Title 8 USC §1182 Alien Inadmissibility under Section 212.
18. HOANG was issued a citation for not carrying his lawfully permanent resident card and released without further incident. Thong was lodged at St. Claire County Jail. Both HOANG and Thong's cell phones were administratively seized pending the criminal search warrants. HOANG's maroon 2017 Chrysler Pacifica was seized for harboring/transporting an illegal alien.
19. On May 2, 2022, Agents also encountered Danh Cong Nguyen (DOB XX/XX/1969) reporting to work at the VP's Nail Salon during the traffic stop/investigation. Nguyen stated that HOANG was the owner of VP's Nail Salon, and that Thong was an employee of VP's Nail Salon. Nguyen stated that all employees of VP's Nail Salon receive payment from HOANG in alternating checks and cash from week-to-week.
20. On July 25, 2022, Border Patrol Agents assigned to the DHS Alliance Task Force obtained search and seizure warrants from the U.S. District Court Eastern District of Michigan regarding Thong's and HOANG's cell phones.

21. Multiple videos dated October 6, 2021, were found on Thong's phone documenting his illegal entry into the United States. One video showed Thong and other individuals at Lavin's house located at 5656 E. Riverside Drive, Windsor located in Ontario, Canada. Thong was observed riding on the pontoon boat as a passenger. A subsequent video from Thong's phone shows other individuals on the pontoon boat while Lavin was operating the helm. A photograph obtained from Thong's cell phone and was a picture of Thong and Thi Sen Nguyen (later identified as HOANG's wife, who is illegally present in the U.S. from Vietnam) in front of Sinbad's restaurant on October 6, 2021. Thong posted a live video on facebook.com on October 6, 2021, showing him as a passenger of a vehicle that was being driven westbound on 21 Mile Rd.
22. Agents discovered a photograph saved in Thong's phone showing a paystub belonging to "Thong Ho" describing how much he had been paid (\$559.20) including tips (\$78) for working from October 11, 2021, until October 17, 2021. Cash could also be seen in the photograph behind the paystub.
23. Agents discovered multiple self-photographs of Thong in his phone showing him inside of the VP's Nail Salon. Cellebrite was used to extract the location where the photographs were taken matching the location of the VP's Nail Salon.
24. Agents discovered additional photographs from HOANG's phone that support his active role in transporting, harboring, and employing illegal aliens. As previously mentioned, the picture of the entrance of Sinbad's from the maroon Chrysler Pacifica dated April 12, 2022, analyzed through the Cellebrite



program that shows the location and date associated to photograph. The Cellebrite system confirmed that the picture was taken on April 12, 2022 (the date of the suspected human smuggling event) and that it was taken in front of the Sindbad's restaurant. Photographs from HOANG's phone were taken on or about December 22, 2021 and appeared to show a list of accounting numbers for people that work for the HOANG at the VP's Nail Salon. In the fifth column, Thong's name appeared, including a list of amounts of money that Thong allegedly earned.

25. On September 28, 2022, a HSI Special Agent wearing plain clothes entered the nail salon around 11:00 A.M. and observed Thong working inside the VP's Nail Salon. HOANG instructed the agent that Thong could work on her nails and made an appointment for the morning of September 29, 2022. A video was taken of the interaction.
26. On November 22, 2022 Agents conducted surveillance at 21370 W. McNicols Rd (Nails & Bar Salon). Agents identified the maroon Cadillac (MI EQR 8666) registered to HOANG. The vehicle was driven by an Asian female. Two other Asian females exited the vehicle and opened the salon. The driver then drove to the car wash behind the salon. After getting the car washed she returned to the salon. The Cadillac was initially registered to HOANG; however it is now registered to a new address: 4711 Chadbourne Dr. Sterling Heights, MI 48310. The new address confirmed the suspicion that HOANG, his family and other residents of the home have moved.
27. On November 23, 2022, Agents conducted surveillance at the residence located at 4711 Chadbourne Dr. Sterling Heights, MI 48310. A brown

Cadillac SUV (EQR8666) was in driveway along with a white Ford Explorer (ERJ4174). The Explorer is registered to HOANG. Quang HOANG and Ho Thong were seen leaving the residence at 9:12 A.M. HOANG is seen entering the maroon Cadillac on. Shortly after Ho Thong's wife and Ho Thi Suong left the residence in the white Ford Explorer.

28. On December 15, 2022, Agents conducted surveillance at 4711 Chadbourne Dr., Sterling Heights, MI 48310. The maroon Cadillac left with Quang HOANG and one unknown Asian male. Around 10:40 A.M. Agents observed both the Cadillac and the Ford Explorer at Nail & Bar Salon.
29. On Saturday, December 10, 2022, HSI received information through HSI tip line concerning human smuggling by Sen Nguyen, who is married to Quang HOANG. The anonymous tip described illegal immigrants being brought in, housed, and employed by Sen Nguyen and Quang HOANG at a new nail salon in the Detroit area.
30. Based on the above information, I believe that or about April 12, 2022, Quang Dang HOANG, alone or in agreement with another person(s), knowing that Ho Sy Thong was an alien, brought him, or attempted to bring him to the United States at a place other than a designated port of entry or place other than as designated by the Commission, in violation of Title 8 U.S.C. §1324(a)(1)(A)(i), 18 U.S.C. §371.
31. Based on the above information, I believe that on or about April 12, 2022, Quang Dang HOANG, a lawful permanent resident, knowingly or in reckless disregard of the fact that Ho Sy THONG, an alien, had come to, entered, or

remains in the United States in violation of law, transported, moved or attempted to move such alien within the United States by means of transportation or otherwise, in furtherance of such violation of law, in violation of Title 8 U.S.C. §1324(a)(1)(A)(ii) and did employ Ho Sy Thong, in violation of Title 8 U.S.C. §1324a(a) and (f), and did conspire with others to do so, in violation of 18 U.S.C. §371.

32. It is further my belief that probable cause exists that Quang Dang HOANG, knowing and in reckless disregard of the fact that Ho Sy Thong, an alien, had come to, entered, or remains in the United States in violation of law, did conceal, harbor, or shield from detection, or attempt to conceal, harbor, or shield from detection, Ho Sy Thong in any place, including any building or any means of transportation, in violation of Title 8 U.S.C. §1324(a)(1)(A)(iii).

Respectfully submitted,



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Michael E. Pastrone, Border Patrol Agent  
U.S. Department of Homeland Security  
U.S. Border Patrol

Sworn to and signed in my presence  
and/or by reliable electronic means.



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Honorable David R. Grand  
United States Magistrate Judge

January 19, 2023